

Application Number 10/815,367

Responsive to Office Action mailed August 12, 2004

REMARKS

This communication is responsive to the Office Action dated August 12, 2004.

Applicants have made no claim amendments. Claims 1-20 remain pending.

Claim Rejections Under 35 U.S.C. § 102 and 103

In the Office Action, the Examiner rejected claims 1, 7-13 and 16 under 35 U.S.C. 102(b) as being anticipated by Klatt et al. (US 6,097,605). In addition, the Examiner rejected claims 1-2, 6-7, and 10-20 under 35 U.S.C. 102(e) as being anticipated by Yen (US 6,612,492).

The Examiner rejected claims 2-5 and 8-9 under 35 U.S.C. 103(a) as being unpatentable over Klatt et al., and rejected claims 8-9 under 35 U.S.C. 102(e) as being anticipated by, or in the alternative under 35 U.S.C. 103(a) as being unpatentable over Yen (US 6,612,492).

Applicants respectfully traverse the rejections. Klatt et al. and Yen fail to disclose each and every feature of the claimed invention, and provide no teaching that would have suggested the desirability of modification to include such features.

Yen

As a preliminary matter, Applicants respectfully point out that Yen does not qualify as prior art under 35 USC §§ 102(b), 102(e) or 103(a). In particular, Yen was filed June 6, 2002, and issued September 2, 2003. Both of these dates are after the priority date for the present application, which is November 19, 2001. In particular, the present application is a divisional application of U.S. Patent Application Serial No. 09/992,712, filed November 19, 2001, now issued as U.S. Patent No. 6,738,259. This priority information is reflected on the first paragraph of the present application and on the filing receipt issued by the Office on June 17, 2004.

For at least these reasons, the rejection under 35 U.S.C. 102(e) as being anticipated by Yen is improper. Moreover, any rejection under 35 U.S.C. 103(a) based upon Yen is similarly improper. For these reasons, Applicants respectfully request withdrawal of these rejections.

Klatt et al.

Klatt et al. fails to disclose or suggest the inventions defined by Applicants' claims, and provides no teaching that would have suggested the desirability of modification to arrive at the claimed invention.

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With respect to claim 1, for example, Klatt et al. fails to teach or suggest an apparatus comprising a housing defining a slot to receive one of at least four different types of removable memory cards, wherein the slot includes: a central region having a width to receive a memory card of a first type, first outer regions that extend the width of the central region to a second width to receive a memory card selected from a second type of memory card and a third type of memory card, and second outer regions that extend the width of the central region to a third width to receive a memory card of a fourth type, as required by claim 1.

In rejecting claim 1, the Examiner relied on FIG. 4 of Klatt et. al, and specifically referred to the "bottom five embodiments" illustrated by FIG. 4. It appears, however, that the Examiner misinterpreted FIG. 4 of Klatt et al. Specifically, Klatt et. al states that FIG. 4 illustrates "different designs of slot receptacles for different multi media cards."¹ Klatt et al. further states that FIG. 4 "shows different possibilities of embodying the insertion slots."² In other words, FIG. 4 of Klatt et al. shows different possible slot configurations that can be used to receive different types media cards.

In contrast with Applicants' claims, FIG. 4 of Klatt et al. does not show an apparatus in which a single slot includes having a central region, first outer regions and second outer regions to receive four different types of memory cards, as required by Applicants' claim 1. To the contrary, Klatt et al. merely shows five different possible slot configurations. None of the embodiments shown by Klatt et al. are able to receive four different types of media cards. None of the embodiments teach or suggest a slot having a central region, first outer regions and second outer regions, as required by Applicants' claims. Applicants refer the Examiner to Figure 10 of the present application that illustrates one embodiment of Applicants' claimed invention.

For at least these reasons, the Examiner has failed to establish a prima facie case for non-patentability of Applicants' claims 1-20. Withdrawal of the rejections is requested.

¹ Column 4, ll. 27-28.

² Column 5, ll. 60-61.

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CONCLUSION

All claims in this application are in condition for allowance. Applicants respectfully request reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 09-0069. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

11/10/04

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